

1 GARY M. RESTAINO
2 United States Attorney
2 District of Arizona

3 MARGARET PERLMETER
4 Arizona State Bar No. 024805
4 Assistant U.S. Attorney
5 Two Renaissance Square
5 40 N. Central Ave., Suite 1200
6 Phoenix, Arizona 85004
6 Telephone: 602-514-7500
7 Email: Margaret.Perlmeter@usdoj.gov

7
8 IN THE UNITED STATES DISTRICT COURT
9
10 FOR THE DISTRICT OF ARIZONA

10 United States of America,

CR-22-1507-PHX-SPL

11 Plaintiff,

12 v.

**MOTION TO CONTINUE
DECEMBER 5, 2023 TRIAL**

13 (1) Shane Killian Burns,
14 (2) Christina Danielle Patacky-Beghin,

15 Defendants.

16
17 The United States of America, through undersigned counsel, requests that this Court
18 continue the trial for 30 to 45 days.

19 On November 15, 2023, Defendant Burns filed four substantive pre-trial motions.
20 (Doc. 44-46, and 48). The United States' deadline to file a response is November 29, 2023,
21 and if Defendant Burns wishes to reply, the deadline is December 6, 2023. Fed. R. Crim.
22 P. 6, L.R. Civ P. 7.2 and 7.3. The deadline to file a response is after the final pre-trial
23 conference and the deadline to reply, is after the trial date. An evidentiary hearing or an
24 in-camera review of documents related to one or more of the motions may need to occur
25 before the trial can begin. A continuance of the trial date is needed so the parties can fully
26 brief the issues before the Court, conduct any evidentiary hearings or in-camera review as
27 deemed necessary by the Court, and adequately prepare for trial.

28 Counsel has conferred with Larry Kazan, counsel for Defendant Burns, and Jason

1 Squires, counsel for Defendant Patacky-Beghin, who have no objection to this motion.

2 Excludable delay under Title 18 U.S.C. 18 U.S.C. § 3161(h) will occur as a result
3 of this Motion or from an order based thereon.

4

5 Respectfully submitted November 21, 2023.

6

7 GARY M. RESTAINO
8 United States Attorney
District of Arizona

9

s/ Margaret Perlmeter
10 MARGARET PERLMETER
Assistant U.S. Attorney

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2023, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants: Lawrence I. Kazan, Jason Squires.

/s/ Silvia A. Cañez
U.S. Attorney's Office